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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/288,685    04/09/99    FRÉDERICK    D    D-1108

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PM82/0817

EXAMINER
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SHAPIRO, J

ART UNIT	PAPER NUMBER
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3651

2

DATE MAILED: 08/17/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trad marks**

# Office Action Summary

Application No.

09/288,685

Applicant(s)

FREDERICK, DAVID T.

Examiner

Jeffrey A. Shapiro

Art Unit

3651

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### *Statutory Basis for Claim Rejections*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

### *Formal Statements of Claim Rejection*

3. Claims 1-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims appear to be a translation from a foreign language and are replete with grammatical and idiomatic errors. These errors combined with the sheer volume of the disclosure act to preclude an adequate search of the prior art. The following codes have been inserted in the text of the claims below as examples of the encountered errors.

(A). Claim limitations that are **highlighted** and preceded by (A) in the Claim and Art Analysis below have insufficient antecedent basis in the claims.

(I). Claim limitations that are **highlighted** and preceded by (I) in the Claim and Art Analysis below render the claim indefinite.

(T). Claim limitations that are **highlighted** and preceded by (T) in the Claim and Art Analysis below are twice entered.

### *Claim and Art Analysis*

The claims are as follows.

1. An apparatus comprising:

a supporting structure including

a generally vertically extending wall, the wall including

at least two sets of generally horizontally disposed apertures therein,

wherein each set of apertures includes

a first aperture and

a second aperture,

wherein the first aperture is disposed vertically above the second aperture; and

a releasible connecting member,

wherein the connecting member in

an operative position extends **(T)(I) substantially** between the **(A)** sets of apertures and in releasible supporting connection with the wall,

wherein the releasible connecting member is adapted for supporting items in operative connection therewith,

wherein the releasible connecting member includes

two disposed pairs of projecting portions **(I. Correspondence without specifying the nature of the correspondence)** corresponding to the sets of apertures, and

wherein each pair of projecting portions includes

a first projection and

a second projection, and

wherein in the operative position of the connecting member the first projection extends in

a **(T) first aperture** and the second projection extends in

a **(T) second aperture**, and

wherein in cross section the second projection extends from the connecting member in generally

a first direction, and

wherein the first projection includes

an inner portion,

wherein the inner portion extends from the connecting member in generally the first direction, and

wherein the first projection includes

an end portion,

wherein the end portion extends generally transverse to the first direction and away from the second projection, and wherein the connecting member is placed in supporting connection with the wall by extending the **(A)** end portions of the first projections in the **(I)** first apertures of the **(I. Sets of what?)** sets and then rotating the connecting member **(I)** relativ to the wall to the operative position

wherein the **(A)** inner portions extend in the first apertures and the second projections extend in the **(I)** second apertures.

2. The apparatus according to claim 1

wherein the releasible connecting member comprises

a body and

wherein the first projection extends from the body, and

wherein in the operative position of the connecting member the end portion and the body extend on opposed sides of the vertically extending wall.

3. The apparatus according to claim 2 and further comprising

an outer wall extending generally parallel to and in operatively fixed connection with the vertically extending wall,

wherein

a space extends between the vertically extending wall and the outer wall and

wherein in the operative position of the connecting member the end portion extends in the space.

4. The apparatus according to claim 1

wherein

a horizontally disposed pair of sets of apertures comprise

an arrangement, and

wherein the vertically extending wall comprises

a plurality of vertically disposed arrangements of apertures,

wherein the connecting member is positionable to engage any one of the arrangements of apertures in the operative position, whereby the connecting member is selectively vertically positionable **(I)** relative to the vertically extending wall.

5. The apparatus according to claim 1 and further comprising

a moveable item supporting member in operative supporting connection with the connecting member,

wherein in the operative position of the connecting member the item supporting member is moveable **(I)** relative to the wall.

6. The apparatus according to claim 5

wherein the item supporting member is moveable **(I) relative** to the vertically extending wall in

a generally horizontal direction.

7. The apparatus according to claim 4

wherein the vertically extending wall comprises

a first wall with first arrangements of apertures therein, and further comprising:

a second wall,

wherein the second wall is generally vertically extending and horizontally disposed from the first wall,,

wherein the second wall comprises

a plurality of second arrangements of apertures therein,

wherein each of the second arrangements generally vertically **(I. Corresponding without specifying the nature of the correspondence)** correspond to one corresponding first arrangement of apertures in the first wall, and

a first connecting member in operative connection with one of the first arrangements of apertures and

a second connecting member in operative connection with one of the second arrangements of apertures, and

an item supporting member in supporting connection with the first and second connecting members.

8. The apparatus according to claim 7

wherein the item supporting member is moveably mounted in supporting connection with the first and second connecting members,

wherein the supporting member is generally moveable horizontally **(I) relative** to the first and second walls.

9. The apparatus according to claim 8 and further comprising:

a plurality of first and second connecting members, each connecting member in supporting connection with the first and second walls respectively;

a **(A)** plurality of item supporting members, each item supporting member independently moveably mounted in supporting connection with

one first supporting member and

one second supporting member.

10. The apparatus according to claim 8

wherein the item supporting member comprises

a drawer.

11. The apparatus according to claim 8

wherein the item supporting member comprises  
a shelf.

12. The apparatus according to claim 9

wherein the item supporting members are vertically spaced from one another by  
a first vertical distance, and  
wherein the first and second arrangements of apertures are spaced from one  
another by generally the first vertical distance.

13. The apparatus according to claim 9

wherein the item supporting members are spaced from one another by  
a **(T) first vertical distance**, and  
wherein the first and second arrangements of apertures are spaced from one  
another by  
a second vertical distance,  
wherein the second vertical distance is smaller than the first vertical distance.

14. The apparatus according to claim 1

wherein  
at least one first aperture in  
a set is elongated generally horizontally, and  
wherein the first projection which extends in the **(A)** one aperture in the operative  
position of the connecting member is elongated in  
a direction generally parallel to the first direction such that in the operative  
position of the connecting member the elongated first projection extends into  
and (I) **substantially** fills **(A)** the **(I)** horizontally elongated first aperture.

15. The apparatus according to claim 1

wherein  
at least one second aperture in  
a **(T) set** is elongated generally vertically, and  
wherein the second projection which extends in the one second aperture in the  
operative position of the connecting member is elongated in  
a **(T) direction** generally parallel to the first direction such that in the operative  
position of the connecting member the **(A)** elongated second projection  
extends in and (I) **substantially** fills the vertically elongated aperture. 1 sa

16. The apparatus according to claim 1

wherein the **(I) first aperture** in each of the **(A) sets** is elongated generally  
horizontally and the second aperture in each of the sets is elongated  
generally vertically, and

wherein the projections in the **(A. Pairs of what?)** pairs are configured such that the **(A)** first projections extend in and (I) **substantially** fill the first apertures and the second projections extend in and (I) **substantially** fill the second apertures.

17. The apparatus according to claim 1

wherein in each of the sets of apertures the second aperture is disposed horizontally from the first aperture.

18. The apparatus according to claim 17

wherein the second apertures in the sets are spaced further apart horizontally than the first apertures in the sets.

19. The apparatus according to claim 7 and further comprising

a plurality of first connecting members in supporting connection with the first wall, and

a plurality of second connecting members in supporting connection with the second wall,

wherein each of the first and second connecting members is configured to be engageable in the operative position with either the first wall or the second wall, and further comprising

a plurality of item supporting members,

wherein each item supporting member is in operative supporting connection with at least one first connecting member and

at least one second connecting member.

20. A method comprising:

**(I. negative recitation of elements)** removing from the apparatus recited in claim 19

at least **(T)** one item supporting member from supporting connection with the respective first and second connecting members; and b) installing in supporting connection with the first and second connecting members another item supporting member.

21. A method comprising:

a **(I. Negative recitation of elements)** removing from the apparatus recited in claim 19

at least **(T)** one item supporting member from supporting connection with **(I) its** respective first and second connecting members; and b) removing the first and second connecting members **(I. What is the nature of the correspondence?)** corresponding to the **(T)** removed item supporting member from the first and second walls respectively.



22. The method according to claim 21 and further comprising the steps of reinstalling the first connecting member in supporting connection with one of the first or second walls, and reinstalling the second connecting member in supporting connection with the other of the first or second walls; d) installing an (T) item supporting member in supporting connection with the first and second connecting members.
23. The method according to claim 22  
wherein in step (b) the first connecting member is disengaged from an arrangement of apertures in the first wall, and  
wherein in step (c) one of the connecting members is engaged with a different arrangement of apertures in the first wall.
24. A method comprising:  
a **(I. Negative recitation of elements)** removing from the apparatus recited in claim 19 the plurality of item supporting members; b) removing the plurality of first and second connecting members from supporting connection with the first and second walls; c) installing  
a plurality of first and second connecting members in supporting connection with the first and second walls respectively; d) installing  
a **(T)** plurality of item supporting members in supporting connection with the first and second connecting members installed in step (c).
25. The method according to claim 24 and further comprising the step of: e) placing  
a plurality of medical items in supporting connection with each of the item supporting members.
26. The method recited in claim 24  
wherein the item supporting members are supported in  
an enclosure, the enclosure including the first and second walls, and further comprising the step of: e) installing in connection with the enclosure  
at least one locking mechanism to restrict access to **(I) item supporting members** installed in step (d).
27. The method according to claim 26 and prior to step (e) further comprising the step of removing from supporting connection with the enclosure  
at least one locking mechanism for restricting access to  
at least one of the item supporting members removed in step (a) **(I. Negative recitation of elements)** .
28. The method according to claim 26 and further comprising the steps of: f) placing in supporting connection with each item supporting member

at least one **(I)** type of medical item; 158 g) providing access to  
 a selected **(I)** type of medical item responsive to  
 at least one pre-determined input to  
 a user interface,

wherein input of the pre-determined input is operative to cause the locking  
 mechanism to provide access to the selected **(I)** type of medical item.

29. An apparatus comprising:

a pair of drawer guides constructed to support

a drawer and allow the drawer to move forward and backward in supporting  
 connection therewith;

a pair of brackets

wherein each drawer guide is in operatively fixed connection with

a **(I. Recitation of corresponding without specifying the nature of the  
 correspondence of the elements)** corresponding of one of said brackets,

wherein each bracket includes

a **(I. Is this substantially flat, elongated or flat and elongated) substantially**  
 flat elongated member having

a tab portion adjacent each longitudinal end, the tab portions extending in  
 a first direction,

wherein the elongated member further includes

a finger portion adjacent

an upper edge thereof,

wherein the finger portion extends generally transverse to the first direction;

a plurality of walls defining

a cabinet, the walls including

a **(I. Are these terms describing walls or some other element having the  
 described positions?)** top, back, bottom and

a pair of disposed side walls, each of the side walls having

a plurality of openings therein, the plurality of openings having

a pre-determined spacing and being configured to receive in releasibly engaging  
 relation the finger portions and the tab portions of the brackets,

wherein the openings in the side walls are generally horizontally aligned and  
 vertically spaced

wherein the drawer guides are selectively and vertically positionable in the  
 cabinet. 1co

30. The apparatus according to claim 29  
 wherein the plurality of openings comprise  
 a first series of openings,  
 wherein the openings in the **(I. Series of what?)** first series are vertically spaced  
 on each side wall, and  
 wherein  
 a **(T)** finger portion is releasibly engageable in each of the openings in the first  
 series.

31. The apparatus according to claim 29  
 wherein each bracket includes  
 a finger portion adjacent each longitudinal end, and  
 wherein the first series of openings include in each side wall  
 one row of vertically spaced openings and  
 a second row of vertically spaced openings,  
 wherein the openings in the second row are horizontally disposed from the  
 openings in the first row.

32. The apparatus according to claim 30  
 wherein each of the openings in the first series has  
 a size **(I. Two indefinite terms in series.) substantially similar** to the finger  
 portion on the **(I. Which elongated member?)** elongated member.

33. The apparatus according to claim 30  
 wherein the plurality of openings further comprises  
 a second series of openings in each side wall,  
 wherein each of the openings in the second series are vertically spaced on each  
 side wall,  
 wherein  
 a tab portion is releasibly engageable in each of the openings in the second  
 series.

34. The apparatus according to claim 33  
 wherein the second series of openings includes in each side wall, one **(I. Which  
 of the earlier entered rows is this referring to?)** row of vertically spaced  
 openings and  
 a second row of vertically spaced openings,

wherein the openings in the first row are horizontally disposed from the openings in the second row.

35. The apparatus according to claim 34

wherein each of the **(I. There is a great deal of confusion in the claims as to which openings applicant is referring to.)** openings in the second series of openings has

a size **(I) substantially (I) similar** to the tab portion on the **(I. Which elongated member?)** elongated member.

36. The apparatus according to claim 29

wherein the cabinet includes **(I)** as least one **(A) outer wall**,

wherein the outer wall is outwardly disposed from

at least one of the side walls, and

wherein

a space extends between the side wall and the outer wall, and

wherein the finger portions extend in the space.

37. The apparatus according to claim 29 and further comprising

a door,

wherein the door is moveably mounted in supporting connection with the cabinet.

38. The apparatus according to claim 37 and further comprising

a lock module in operative connection with the cabinet,

wherein the lock module is selectively operative to change between

a secured condition

wherein the door is held in closing relation with the cabinet and

an unsecured condition

wherein the **(A) door** is enabled to be opened.

39. The apparatus according to claim 38 and further comprising

at least one **(I) type** of medical item stored in the cabinet,

a user input device in operative connection with the **(A) lock module** and

a computer in operative connection with the user input device, the computer in  
161 operative connection with

a data store,

wherein the data store includes data representative of

a storage location within the cabinet, the **(I) type** medical item stored in the storage location in the cabinet and authorized **(A)** inputs for enabling access to the **(I. What type is this medical item???)** medical item, and

wherein the computer is operative responsive to authorized inputs to the user interface to cause the condition of the lock module to change to the unsecured condition, whereby the (I) type of medical items stored in the storage location may be accessed.

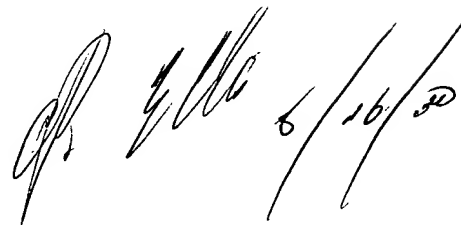
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher P. Ellis can be reached on (703)308-2560. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-0552 for regular communications and (703)308-0552 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.



Jeffrey A. Shapiro  
Patent Examiner  
Art Unit 3651



CHRISTOPHER P. ELLIS  
PATENT EXAMINER

August 16, 2000